



# City of NORFOLK

C: Dir., Department of Planning and Community Development

To the Honorable Council  
City of Norfolk, Virginia

March 25, 2014

From: George M. Homewood, AICP CFM, Planning Director

Subject: **Change of Zoning from Conditional I-1 and R-8 to Conditional I-1**

Reviewed: Ronald H. Williams, Jr., Assistant City Manager *[Signature]* Ward/Superward: 4/7

Approved: *[Signature]* Item Number: PH-1  
Marcus D. Jones, City Manager

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Change of Zoning from Conditional I-1 (Limited Industrial) and R-8 (Single-Family) to Conditional I-1
- IV. **Applicant:** Keith Roemer - 3404 and western half of 3406 Westminster Avenue
- V. **Description**
  - The site at 3404 Westminster Avenue was rezoned to Conditional I-1 in 2000 to accommodate light industrial uses on the site.
  - After the property was rezoned, the owners acquired additional land east of the industrially-zoned property.
    - At some point during this process, the location of the building was shifted to the east, onto the residentially-zoned property
      - This error was not caught during the process.
  - This rezoning is intended to address the error made in 2005/2006, rezoning the entire site to the appropriate zoning district, while retaining those conditions designed to protect the residential properties to the east.

Staff point of contact: Matthew Simons at 664-4750, [matthew.simons@norfolk.gov](mailto:matthew.simons@norfolk.gov)

Attachments:

- Staff Report to CPC dated February 27, 2014 with attachments
- Letter of support
- Proponents and Opponents
- Ordinance



# City of NORFOLK

To the City Planning Commission  
City of Norfolk, Virginia

February 27, 2014

From: Matthew Simons, City Planner II

**Subject:** Change of Zoning from  
Conditional I-1 (Limited Industrial)  
and R-8 (Single-Family) to Conditional  
I-1 at 3404 and western half of 3406  
Westminster Avenue – Keith Roemer

Reviewed: Leonard M. Newcomb, III, CFM Land Use  
Services Manager

**Ward/Superward:** 4/7

Approved:

**Item Number:** Continued 2

\_\_\_\_\_  
George M. Homewood, AICP, CFM Planning  
Director

- I. **Recommendation:** Staff recommends approval, given consistency with approved plans and the conditions that the applicant has proffered which should buffer the adjacent residential uses to the east.
- II. **Applicant:** Keith Roemer  
3404 and western half of 3406 Westminster Avenue
- III. **Description**  
The request is to change the zoning to reflect the existing industrial uses on the site.
- IV. **Analysis**
  - The site is located on the northeast corner of Westminster Avenue and East End Avenue within an area of the Chesterfield Heights neighborhood that contains a mix of industrial and residential uses.

**Plan Amendment**

- The proposed rezoning is consistent with *plaNorfolk2030*, which designates this site as Industrial.

### Change of Zoning

- The site at 3404 Westminster Avenue was rezoned to Conditional I-1 in 2000 to accommodate light industrial uses on the site.
  - The conditions in 2000 restricted uses to warehouse, office, and equipment rental, and contained provisions to allow a 3,080 square foot building to be constructed on the property, provided that steps were taken to protect the residential uses to the east.
- After the property was rezoned, the owners acquired additional land east of the industrially-zoned property.
  - The land acquisition was intended to ensure the ability to develop the building consistent with the 2000 conditional rezoning, with sufficient parking and buffers required to protect the adjacent residential uses.
  - In 2005, a site plan was approved for development of the site.
  - In 2006, building permits were issued.
  - At some point during this process, the location of the building was shifted to the east, onto the residentially-zoned property
    - This error was not caught during the process.
- This rezoning is intended to address the error made in 2005/2006, rezoning the entire site to the appropriate zoning district, while retaining those conditions designed to protect the residential properties to the east.

### Traffic Analysis

- No new trips are projected by changing the zoning classification for a portion of this existing industrial building.

## **V. Financial Impact**

The applicant is current on all real estate taxes.

## **VI. Environmental**

If approved, the open area between the existing building and fence would have to be maintained as a landscape buffer, with no industrial uses or storage of any kind permitted.

## **VII. Community Outreach/Notification**

- Legal notice was posted on the property on October 8.
- Letters were mailed to the Chesterfield Heights Civic League and the Grandy Village Residential Management Corporation Presidents on October 23.
- Letters were mailed to all property owners within 300 feet of the property on October 30.
- Notice was sent to the civic league by the Department of Communications on October 30.
- Legal notification was placed in *The Virginian-Pilot* on October 31 and November 7.

## **VIII. Coordination/Outreach**

This report has been coordinated with the Department of Planning and Community Development, and the City Attorney's Office.

**Supporting Material from the Department of Planning and Community Development:**

- Ordinance
- Location Map
- Zoning Map
- *plaNorfolk2030* Future Land Use Map
- Application
- Preliminary Resubdivision Plat
- Letters to the Civic Leagues

## **Simons, Matthew**

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**From:** Grandy Village <grandyvillagetmc@yahoo.com>  
**Sent:** Thursday, February 13, 2014 9:18 PM  
**To:** Simons, Matthew  
**Subject:** Re: Roemer Rezoning

All is good with east end I talk with Mr. Conley its a go... thanks man for all you do with the city of Norfolk.....

On Thursday, February 13, 2014 9:01 AM, "Simons, Matthew" <Matthew.Simons@norfolk.gov> wrote:  
Raytron,  
Any updates on the Rezoning?

We're briefing our Planning Commission today.  
Thanks,  
664-4750

**Proponents and Opponents**

**Proponents**

Keith Roemer – Applicant  
213 Palen Avenue  
Newport News, VA 23601

**Opponents**

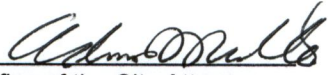
None



Form and Correctness Approved:



By

  
Office of the City Attorney

NORFOLK, VIRGINIA

Contents Approved: 

By  
DEPT.



## ORDINANCE No.

AN ORDINANCE TO REZONE PROPERTIES LOCATED AT 3404 AND 3406 WESTMINSTER AVENUE FROM CONDITIONAL I-1 (LIMITED INDUSTRIAL) AND R-8 (SINGLE-FAMILY RESIDENTIAL) DISTRICTS TO CONDITIONAL I-1 (LIMITED INDUSTRIAL) DISTRICT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the properties located at 3404 Westminster Avenue and the western half of the property located at 3406 Westminster Avenue are hereby rezoned from Conditional I-1 (Limited Industrial) and R-8 (Single-Family Residential) Districts to Conditional I-1 (Limited Industrial) District. The properties are more fully described as follows:

Properties fronting 95 feet, more or less, along the northern line of Westminster Avenue and 110 feet, more or less, along the eastern line of East End Avenue; premises numbered 3404 and 3406 Westminster Avenue.

Section 2:- That the properties rezoned by this ordinance shall be subject to the following conditions:

- (a) No uses other than the following shall be permitted on the property:
  - (1) Warehouse/Wholesale.
  - (2) Office.
  - (3) Office, Contractor (no exterior storage).
  - (4) Heavy Equipment Rental, Sales and Service.
- (b) All means of vehicular access to and from the property shall be limited to East End Avenue.
- (c) There shall be no exterior storage of building materials, equipment, or supplies.

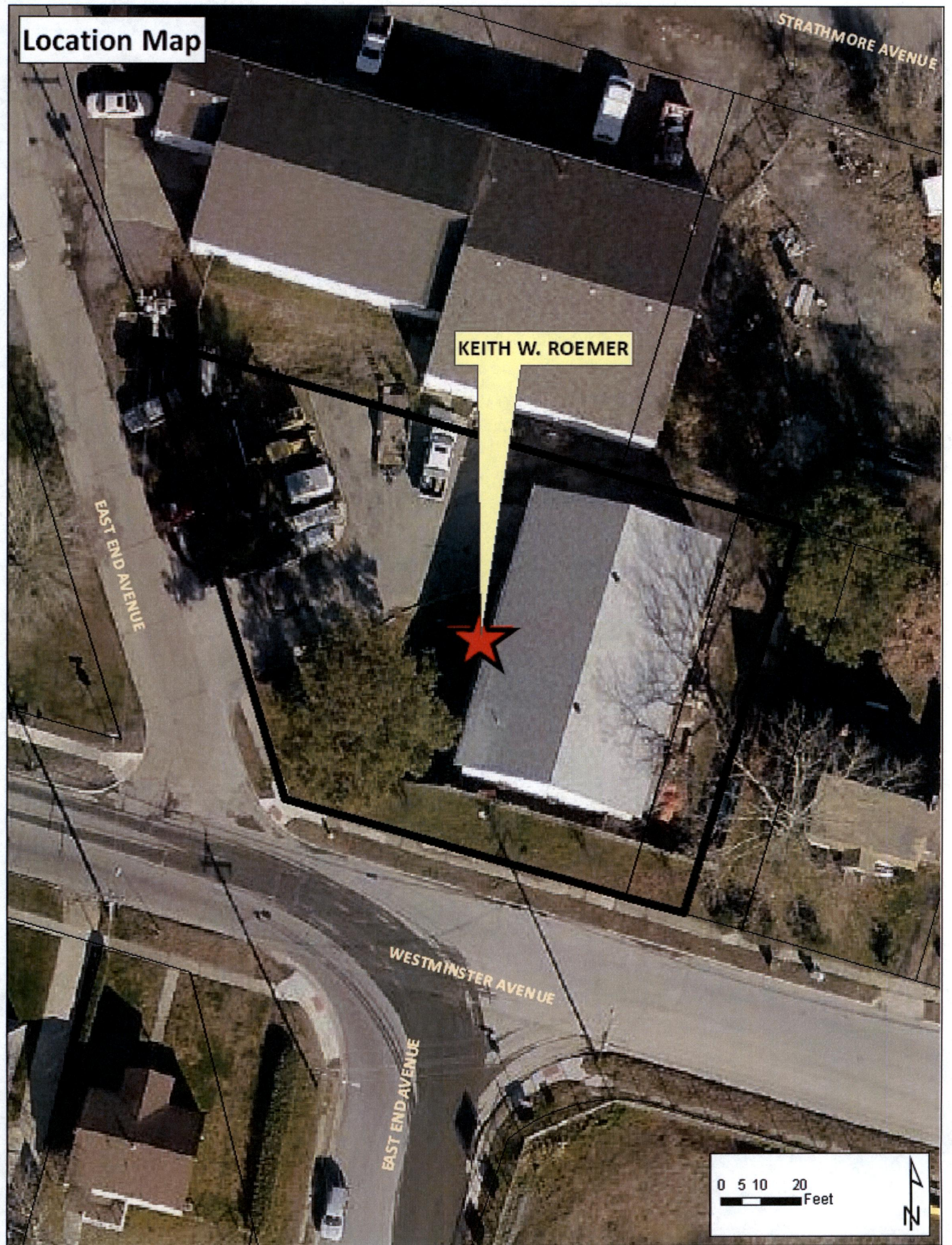
- (d) All lighting shall be shielded so as not to shine on adjacent properties.
- (e) The hours of operation for any business operating at the property shall be limited to 6:30 a.m. until 6:00 p.m., seven days per week.
- (f) No vehicle larger than either a standard size pickup truck or a flatbed truck shall be permitted on the property. No semi-trailers shall access or be located on the property.
- (g) An 8-foot wooden privacy fence shall be installed and maintained along the perimeter of all portions of the property abutting Westminster Avenue, the eastern property line, and East End Avenue. The fence along East End Avenue may include a gate or opening for a vehicular access. Such fences shall be set back no less than ten (10) feet from East End Avenue and no less than fifteen (15) feet from Westminster Avenue.

Section 3:- That the official Zoning Map for the City of Norfolk is hereby amended and reordained so as to reflect this rezoning.

Section 4:- That this ordinance shall be in effect from the date of its adoption.



Location Map



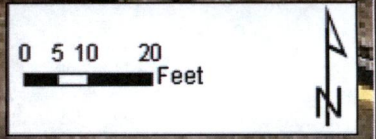
STRATHMORE AVENUE

KEITH W. ROEMER

EAST END AVENUE

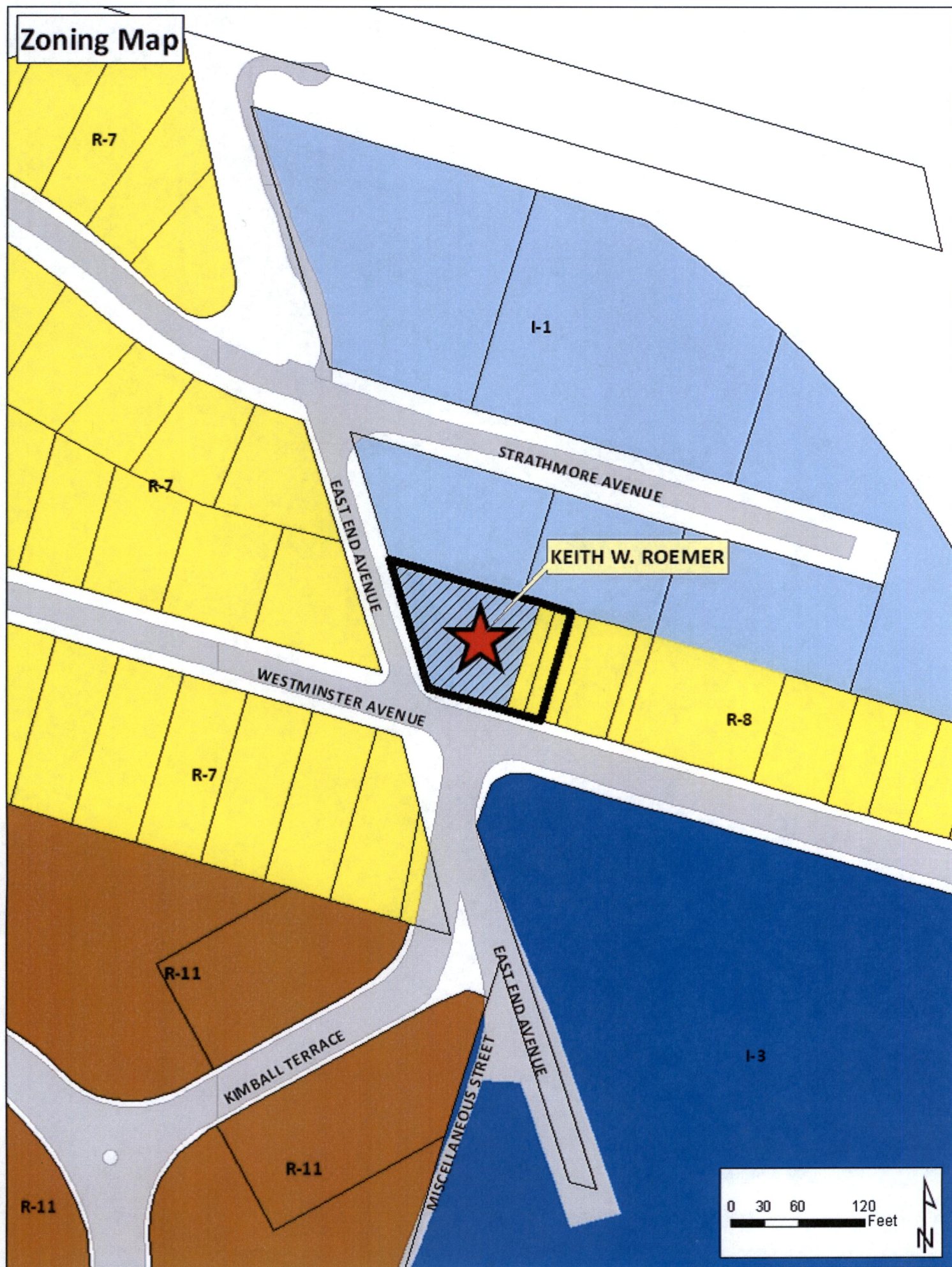
WESTMINSTER AVENUE

EAST END AVENUE



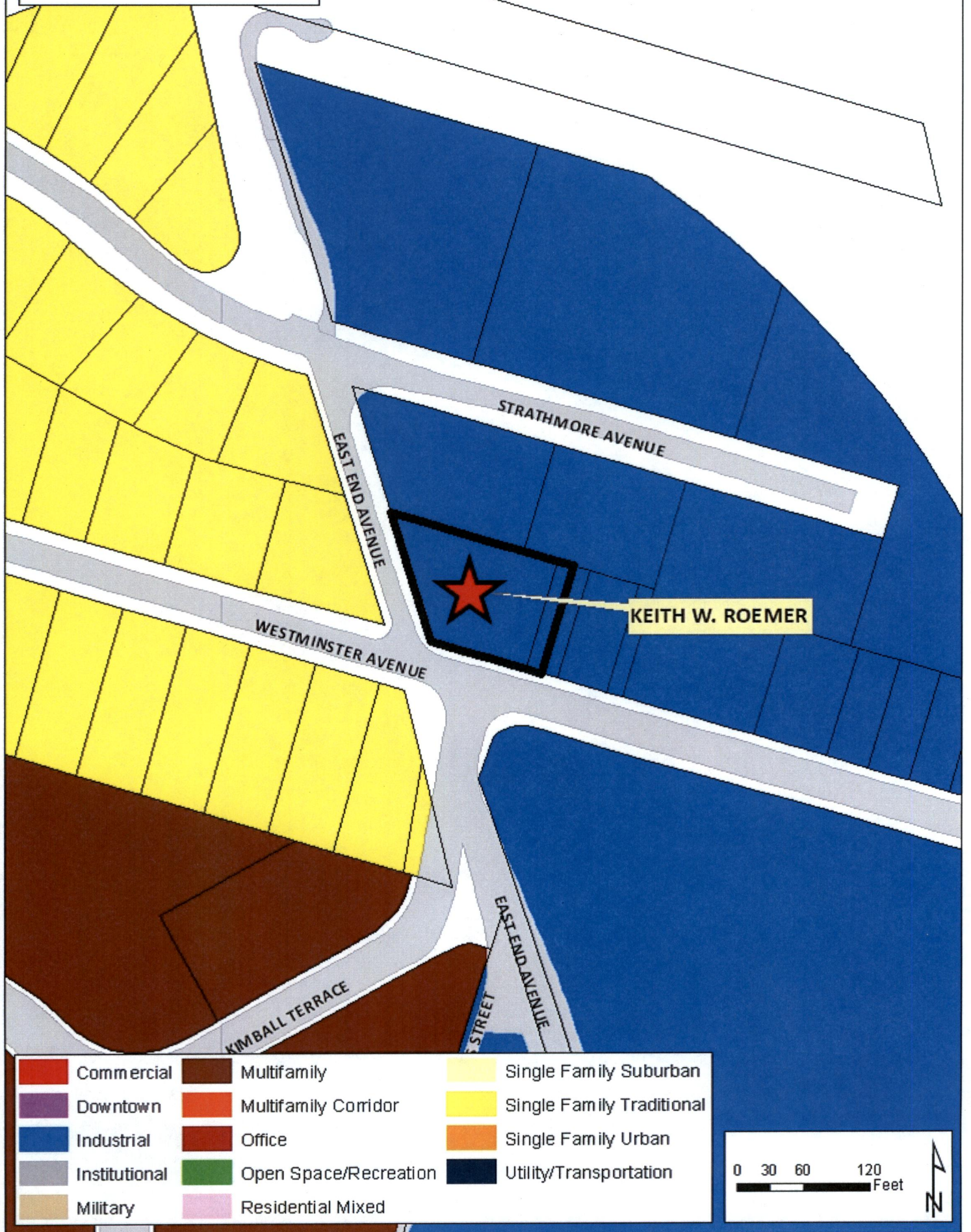


# Zoning Map





# Future Land Use Map







**APPLICATION  
CONDITIONAL CHANGE OF ZONING**

Date of application: SEPT 23, 2013

**Conditional Change of Zoning**

KWR Conditional From: I-1 Zoning To: Conditional I-1 Zoning KWR

**DESCRIPTION OF PROPERTY**

3404 + KWR  
Property location: (Street Number) West 1/2 of lot 29 (3406) (Street Name) WESTMINSTER AVE

Existing Use of Property: RESIDENTIAL

Current Building Square Footage 1400

Proposed Use TRANSFERRING 1/2 LOT FROM R-8 TO I-1

Proposed Building Square Footage —

Trade Name of Business (If applicable) —

**APPLICANT/ PROPERTY OWNER**

1. Name of applicant: (Last) ROEMER (First) KEITH (MI) W

Mailing address of applicant (Street/P.O. Box): 213 PALEN AVE.

(City) N.N. (State) VA. (Zip Code) 23601

Daytime telephone number of applicant (757) 572 2203 Fax (757) 223-0038

E-mail address of applicant: KWR2148@YAHOO.COM

**DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)

Conditional Rezoning  
Page 2

2. Name of property owner:(Last) KLITZ (First) FORREST (MI) \_\_\_\_\_

Mailing address of property owner (Street/P.O. box): 3408 WESTMINSTER AVE

(City) NORFOLK (State) VA (Zip Code) 36076

Daytime telephone number of owner (224) 730-4746 Fax number ( ) \_\_\_\_\_

**CIVIC LEAGUE INFORMATION**

Civic League contact: \_\_\_\_\_

Date(s) contacted: \_\_\_\_\_

Ward/Super Ward information: \_\_\_\_\_

**REQUIRED ATTACHMENTS**

- ✓ Required application fee, **\$705.00** (if check, make payable to Norfolk City Treasurer).
  - Application fee includes a non-refundable \$5 technology surcharge.
  - If accompanied with a necessary map amendment to the City's adopted general plan, *planNorfolk2030*, an additional technology surcharge of **\$5** will be required.
- ✓ Two 8½ x 14 inch copies of a survey or site plan drawn to scale showing:
  - Existing and proposed building structures
  - Driveways
  - Parking
  - Landscaping
  - Property lines (see attached example)
- ✓ Proffered conditions.
- ✓ Description and details of the operation of the business (i.e., # of employees, # of bays, reason for rezoning, etc...)

**CERTIFICATION:**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: KEITH ROEMER Sign: [Signature] 9, 23, 2013  
(Property Owner or Authorized Agent Signature) (Date)

3404 Westminister: WARRIE CONLEY Sign: [Signature] 10/3/13  
Print name: FORREST W KLITZ Sign: [Signature] 125 SEPT 13  
(Applicant or Authorized Agent Signature) (Date)

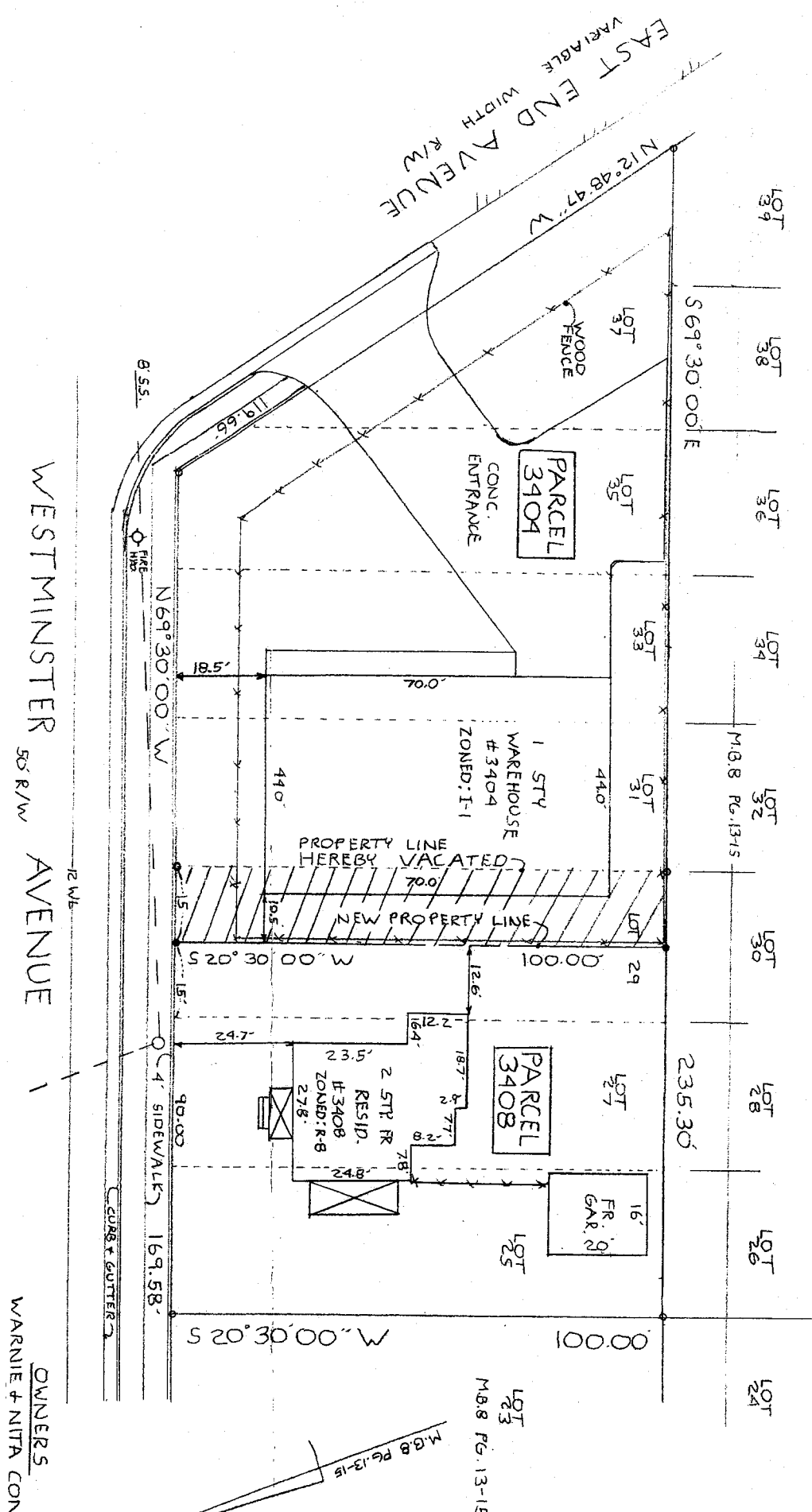
**DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)





# City of NORFOLK

October 24, 2013

Cheryll Sumner  
President, Chesterfield Heights Civic League  
2715 Stanhope Avenue  
Norfolk, VA 23504

Dear Ms. Sumner,

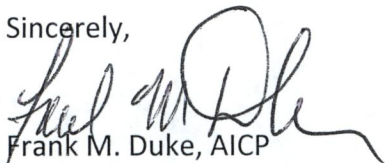
The Planning Department has received an application for a change of zoning from Conditional I-1 (Limited Industrial) and R-8 (One-Family) districts to Conditional I-1 district on property located at 3404 Westminster Avenue and the western half of 3406 Westminster Avenue. This item is tentatively scheduled for the November 14, 2013 City Planning Commission public hearing.

**Summary**

The request would permit the existing development to continue use of the site for light industrial purposes.

If you would like additional information on the request, you may contact the applicant at (757) 572-2203; or you may telephone Matthew Simons on my staff at (757) 664-4750. A copy of the application is enclosed.

Sincerely,



Frank M. Duke, AICP  
Planning Director

cc: Oneiceia Howard, Senior Neighborhood Development Specialist





# City of NORFOLK

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October 24, 2013

Raytron White  
President, Grandy Village Residential Management Corporation  
735 Wiley Avenue  
Norfolk, VA 23504

Dear Mr. White,

The Planning Department has received an application for a change of zoning from Conditional I-1 (Limited Industrial) and R-8 (One-Family) districts to Conditional I-1 district on property located at 3404 Westminster Avenue and the western half of 3406 Westminister Avenue. This item is tentatively scheduled for the November 14, 2013 City Planning Commission public hearing.

**Summary**

The request would permit the existing development to continue use of the site for light industrial purposes.

If you would like additional information on the request, you may contact the applicant at (757) 572-2203; or you may telephone Matthew Simons on my staff at (757) 664-4750. A copy of the application is enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank M. Duke".

Frank M. Duke, AICP  
Planning Director

cc: Oneiceia Howard, Senior Neighborhood Development Specialist